

Message Text

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PAGE 01 TRIPOL 01217 201353Z

43

ACTION FBO-01

INFO OCT-01 AF-05 ISO-00 SY-07 L-03 /017 W

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R 200945Z SEP 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC 0559

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E.O. 11652: N/A

TAGS: ABLD LY

SUBJECT: USG UNDEVELOPED SITE IN TRIPOLI

REF: TRIPOLI 1208

1. ATTIGA PHONED CHARGE SEPT 19 AND SAID THAT IN HIS RECENT ABSENCE HIS OFFICE HAD SENT ALL ITS COPIES OF EMBASSY NOTE NO. 68 TO MINISTER OF INTERIOR. COULD EMBASSY SEND A COPY, UNDER COVER OF A SECOND NOTE CALLING ATTENTION TO THE NEW PROBLEM OF THE GATE? BOTH NOTES COULD THEN BE FORWARDED BY MFA TO THE MUNICIPALITY "WHICH IS THE PROPER PLACE". CHARGE REPLIED HE COULD DO THIS, BUT THAT HE BELIEVED THE MINISTER OF INTERIOR WAS ALSO A PROPER ADDRESSEE FOR MFA NOTICES ON THE SUBJECT.

2. LATER SEPT 19 THE EMBASSY RECEIVED MFA NOTE NO. 20/36/1/3575, DATED SEPT 15, WHICH IN TRANSLATION READS AS FOLLOWS: "THE MFA OF THE LAR PRESENTS ITS BEST COMPLIMENTS TO THE AMERICAN EMBASSY AND HAS THE HONOR TO INFORM THE EMBASSY THAT A DECISION HAS BEEN ISSUED BY THE LIBYAN CABINET ON JULY 28, 1973 CONSIDERING THE PROJECTS OF WIDENING AL-FATAH STREET, AND BUILDING A PUBLIC PARK IN THE CITY OF TRIPOLI, AS PUBLIC UTILITY PROJECTS PER THE NOTE OF THE HOUSING MINISTRY NO. 1/10/66/73 DATED JULY 13, 1973, AND IN ACCORDANCE WITH THE ENCLOSED DRAWING. THE CABINET DECISION INCLUDED THE LOT OF LAND OWNED BY THE AMERICAN EMBASSY (CERTIFICATION

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PAGE 02 TRIPOL 01217 201353Z

BROCHURE NO. 34941).

"FOR YOUR INFORMATION, THE FOREIGN MINISTRY WILL NOTIFY THE EMBASSY AT A LATER DATE ABOUT THE AMOUNT OF COMPENSATION WHICH WILL BE ESTIMATED BY THE APPROPRIATE COMMITTEE." (CLOSING COMPLIMENTS).
N.B. WE DO NOT HAVE ANY COMMUNICATION FROM THE MINISTRY OF HOUSING ON THIS SUBJECT, NOR WAS ANY DRAFT ENCLOSED.

3. CONSIDERING THESE DEVELOPMENTS OF SEPTEMBER 19 WE JUDGED THAT ATTIGA WAS UNAWARE OF THE MFA NOTE, ISSUED BY A DIFFERENT DEPARTMENT (PROTOCOL), AND HAD BEEN TRYING TO BE HELPFUL TO US INDEPENDENTLY. CHARGE PHONED HIM AT OPENING BUSINESS SEPT 20 AND REMARKED ON RECEIPT OF MFA NOTE. ATTIGA APPEARED BE GENUINELY SURPRISED AT ITS EXISTENCE AND CONTENTS. CHARGE THEN SAID WHILE HE APPRECIATED ATTIGA'S GOOD INTENTIONS, FACT WAS EMBASSY'S NOTE OF AUGUST 30 DELIVERED TO HIM HAD NOW IN EFFECT BEEN ANSWERED VERY OBJECTIONABLY BY HIS MINISTRY. CHARGE WOULD OF COURSE SEEK INSTRUCTIONS, BUT HAD FOLLOWING TO SAY AT THIS MOMENT: A) HE PROTESTED FACT OF REQUISITION PER SE. B) HE PROTESTED THE STEALTHY AND UNILATERAL MANNER IN WHICH IT ACCOMPLISHED -- WITHOUT ANY PRIOR NOTICE, CONSULTATION, OR EXPLANATION. C) THERE WAS STILL NO CREDIBLE EXPLANATION, AS YOU DO NOT WALL IN THE ONLY PUBLIC ACCESS TO A PROPERTY IF YOU ARE MAKING IT A PUBLIC PARK. D) THERE IS NO CREDIBLE ASSURANCE IN THE MFA NOTE OF PROMPT OR ADEQUATE COMPENSATION, NOR ANY REFERENCE TO THE FACT THE DEED HAS A CLAUSE ON THAT SUBJECT. CHARGE ALSO SOUGHT CLARIFICATION OF WHAT THE "APPROPRIATE COMMITTEE" WAS. ATTIGA DID NOT KNOW AND, IN EMBARRASSED TONES, ACKNOWLEDGED THAT THE EMBASSY WOULD HAVE TO PURSUE SUCH SUBJECTS WITH THE PROTOCOL DEPARTMENT, NOT HIS. HE DID, HOWEVER, REPEAT HIS REQUEST FOR A COPY OF OUR NOTE OF AUGUST 30, WHICH WE ARE SENDING TODAY.

4. RATHER THAN PURUSE THIS SUBJECT WITH PROTOCOL AT THIS POINT, REQUEST INSTRUCTIONS. OUR OPTIONS APPEAR LIMITED OFFICIAL USE

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PAGE 03 TRIPOL 01217 201353Z

TO BE LIMITED AND NONE TOO GOOD. WE CAN REFUSE TO ACKNOWLEDGE THE DE FACTO REQUISITION OR TO ACCEPT ANY COMPENSATION -- BUT THE PROPERTY IS WORTHLESS TO US AS IS. WE CAN ACCEPT THE REQUISITION AND TRY TO GET ADEQUATE CASH COMPENSATION -- BUT THERE IS NO REASON TO BE SANGUINE ABOUT IT; THE LARG HAS NOT COMPENSATED ANY FOREIGN GOVT FOR ANYTHING. OR WE CAN OPTIMIZE OUR CHANCES OF GETTING FAIR VALUE BY INSISTING ON AN

EXCHANGE OF PLOTS OF LAND, DULY INSPECTED BY FBO,
THOUGH IN FACT WE NEED NO BUILDING SITES FOR THE
FORESEEABLE FUTURE AND ANY SUGGESTION THAT THIS IS A
POSSIBLE OPTION MIGHT BE SEIZED BY THE LARG AS AN
EXCUSE NOT TO PAY CASH.
JOSIF

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Message Attributes

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Draft Date: 20 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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30 JUN 2005

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